REMARKS

The Office Action in the above-identified application has been carefully considered and this amendment has been presented to place this application in condition for allowance. Accordingly, reexamination and reconsideration of this application are respectfully requested.

Claims 1, 3-8, and 10-11 are in the present application. It is submitted that these claims were patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. § 112. The changes to the claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. sections 101, 102, 103 or 112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

Claims 1, 10 and 11 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The Examiner contends the specification does not support the limitation "said growth state being determined at least in part on the basis of a camera input." (Office Action page 3) However, the process for determining the growth state, including "the output of the camera 8," is clearly described in the specification from page 13, line 9 to page 14, line 14. Specifically, the specification explains "the growth states are represented by nodes (states)" and that node-to-node transitions represent growth of the robot. (Specification page 13, lines 12-16) Conditions (input) P_{tg+1} are used to determine whether a node-to-node transition (growth) should be made. (Specification page 14, lines 4-8) "The conditions P_{tg+1} [are defined] in terms of the output of the camera 8, the output of the microphone 9, the output of the pressure sensor 10, and the elapsed time." (Specification page 14, lines 8-10)

"If the conditions P_{tg+1} are satisfied, transition occurs from $NODE_G$ to adjacent $NODE_{G+1}$ on the right side, and thus the robot grows." (Specification page 14, lines 12-14) In other words, the specification explains that: 1) the growth state depends on the node; 2) the node is determined by the conditions; and 3) the conditions are defined, at least in part, in terms of the output from the camera. Hence, the specification clearly supports the limitation of "said growth state being determined at least in part on the basis of a camera input." Furthermore, Figure 4 clearly shows the connection of the output from camera 8 being input through the sensed signal processing unit 30 and into the growth model 31. The Examiner contends the specification teaches that the growth occurs depending on the elapsed time and the camera takes an image of the surroundings. (Office Action page 3) The Examiner is correct, but these teachings do not preclude or contradict the present limitation. Accordingly, Applicant believes this rejection should be withdrawn.

Claims 1-11 were rejected under 35 U.S.C. § 102(b) as being anticipated by Edatsune (U.S. Patent 5,802,488) in view of Imagawa et al. (U.S. Patent 6,353,764).

However, the present "robot determines and performs a predetermined action in accordance with the speech recognized by said speech recognition means and an occurrence probability of the predetermined action as determined by the growth state." (Claims 1, 10 and 11) In other words, the physical <u>reaction</u> of the robot to a recognized speech is based on assigned occurrence probabilities for various activities based on the current growth state. (Specification at page 20, lines 13-24) Although at Column 12, lines 49-56, Edatsune discloses "changing the content of [the robot's] response as it grows," there is no discussion of a probability value in this context. Whereas, at Column 5, lines 60 to Column 6, line 3, Edatsune

00234603

discloses a recognition probability, but does not discuss a probability related to the robot's reaction. Hence, Edatsune fails to meet the "occurrence probability" limitation recited in the present claims.

The Examiner relies on Imagawa to meet the limitation "said growth state being determined at least in part on the basis of a camera input." (Claims 1, 10, and 11) However, Imagawa does not disclose growth states of a robot, much less suggest a combination of a camera input for determining a growth state. Applicant believes the present combination of a growth state with a camera input is non-obvious as evidenced by the lack of prior art. Accordingly, Imagawa fails to disclose a camera being used in determining a growth state as required in the present invention.

Accordingly, for at least these reasons, Edatsune and Imagawa fail to obviate the present invention and the rejected claims should now be allowed.

Claims 1-11 were rejected under 35 U.S.C. § 102(b) as being anticipated by Edatsune (U.S. Patent 5,802,488) in view of Pryor (U.S. Patent 6,766,036). As discussed above, Edatsune fails to meet the "occurrence probability" limitation recited in the present claims. The Examiner relies on Pryor solely to meet the limitation "said growth state being determined at least in part on the basis of a camera input." (Claims 1, 10, and 11) However like Imagawa, Pryor does not disclose growth states of a robot, much less suggest a combination of a camera input for determining a growth state. Accordingly, for the same reasons discussed above, Edatsune and Pryor fail to obviate the present invention and the rejected claims should now be allowed.
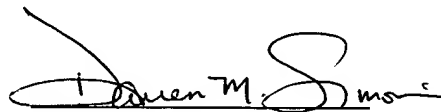
00234603

In view of the foregoing amendment and remarks, it is respectfully submitted that the application as now presented is in condition for allowance. Early and favorable reconsideration of the application are respectfully requested.

No additional fees are anticipated for the filing of this amendment, but if such are required, the Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below. The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By:

Darren M. Simon
Reg. No. 47,946
(212) 588-0800

00234603